

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

**MELVIN SMITH and STAN FOWLER,
Plaintiffs,**

v.

NO. 15-cv-1153 SMV-GBW

**AUTO-OWNERS INSURANCE COMPANY,
Defendant.**

**STIPULATED JUDGMENT FOR STAN FOWLER UPON ACCEPTANCE OF OFFER
OF JUDGMENT**

This matter having come before the Court on the parties' Joint Motion for Dismissal of Plaintiff Stan Fowler and the Court having been sufficiently advised hereby FINDS:

1. On September 12, 2016 Auto-Owners Insurance Company made an Offer of Judgment by mail to the Plaintiff Stan Fowler.
2. On September 29, 2016 Stan Fowler accepted the offer of Auto Owners Insurance Company.

In accordance with the terms of the Offer of Judgment to Plaintiff Fowler, judgment is hereby entered in favor of the Plaintiff Stan Fowler in the amount of Fifty Thousand Dollars (\$50,000.00), plus a reasonable attorney's fees and costs as agreed upon by the Parties or by a motion for cost bill to be determined by the Court. In the event the parties cannot reach an agreement with respect to the reasonable attorney's

fees and costs, Plaintiff's counsel shall submit a motion in support of the requested fees and costs. Upon the entry of the order on the cost bill for reasonable attorneys fees and costs, Stan Fowler is dismissed with prejudice.



United States Magistrate Judge

Approved:

/s/Frederick H. Sherman
for Plaintiff Stan Smith

Approved:

/s/ Megan T. Muirhead
Attorneys for Auto-Owners Insurance Company